

ASSEMBLY BILL

No. 1733

Introduced by Assembly Member Wagner

February 1, 2016

An act to amend Section 77003 of the Government Code, relating to courts.

LEGISLATIVE COUNSEL'S DIGEST

AB 1733, as introduced, Wagner. Trial court funding.

Existing law establishes the Trial Court Trust Fund, the proceeds of which are required to be apportioned for authorized purposes, including apportionment to the trial courts to fund trial court operations. Existing law, for the purpose of funding trial court operations, authorizes the Judicial Council to establish bank accounts for the superior courts, into which are deposited all moneys appropriated in the Budget Act and allocated or reallocated to each court by the Judicial Council, moneys held in trust, and other moneys as deemed necessary or appropriate. "Court operations" is defined for these purposes.

This bill would make technical, nonsubstantive changes to the provision defining court operations.

Vote: majority. Appropriation: no. Fiscal committee: no.
State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 77003 of the Government Code is
- 2 amended to read:
- 3 77003. (a) As used in this chapter, "court operations" means
- 4 all of the following:

(1) Salaries, benefits, and public agency retirement contributions for superior court judges and for subordinate judicial officers. ~~For~~

(A) *For purposes of this paragraph, the term “subordinate judicial officers” includes all both of the following:*

(i) *All commissioner or referee positions created prior to July 1, 1997, including positions created in the municipal court prior to July 1, 1997, which thereafter became positions in the superior court as a result of unification of the municipal and superior courts in a county, and including those commissioner positions created pursuant to former Sections 69904, 70141, 70141.9, 70142.11, 72607, 73794, 74841.5, and 74908; and includes any 74908.*

(ii) *Any staff who provide direct support to commissioners; but does commissioners.*

(B) *“Subordinate judicial officers” does not include commissioners or staff who provide direct support to the commissioners whose positions were created after July 1, 1997, unless approved by the Judicial Council, subject to the availability of funding.*

(2) The salary, benefits, and public agency retirement contributions for other court staff.

(3) Court security, but only to the extent consistent with court responsibilities under Article 8.5 (commencing with Section 69920) of Chapter 5.

(4) Court-appointed counsel in juvenile court dependency proceedings and counsel appointed by the court to represent a minor pursuant to Chapter 10 (commencing with Section 3150) of Part 2 of Division 8 of the Family Code.

(5) Services and supplies relating to court operations.

(6) Collective bargaining under Sections 71630 and 71639.3 with respect to court employees.

(7) Subject to paragraph (1) of subdivision (d) of Section 77212, actual indirect costs for county and city and county general services attributable to court operations, but specifically excluding, but not limited to, law library operations conducted by a trust pursuant to ~~statute; statute, courthouse—construction; construction, district attorney—services; services, probation—services; services, indigent criminal—defense; defense, grand jury expenses and—operations; operations, and pretrial release services.~~

(8) Except as provided in subdivision (b), and subject to Article 8.5 (commencing with Section 69920) of Chapter 5, other matters

1 listed as court operations in Rule 10.810 of the California Rules
2 of ~~Court~~ *Court*, as it read on January 1, 2007.
3 (b) However, “court operations” does not include collection
4 enhancements as defined in Rule 10.810 of the California Rules
5 of ~~Court~~ *Court*, as it read on January 1, 2007.

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